



May 10, 2016

Public Comments Processing

Attn: Docket No. FWS-R6-ES-2016-0042,
U.S. Fish and Wildlife, MS: BPHC,
5275 Leesburg Pike, Falls Church, VA 22041-3803

Dear Sir or Madam:

Please accept these comments on the Grizzly Bear Recovery Plan Draft Supplement: 2016 Draft Revised Demographic Recovery Criteria for the Yellowstone Ecosystem. These comments represent the consensus positions of the Wyoming Game and Fish Department (WGFD), Idaho Department of Fish and Game (IDFG), and Montana Fish, Wildlife and Parks (MFWP), and reflect the commitment of our three agencies to work together to collectively manage the recovered GYE grizzly bear distinct population segment (DPS) at an ecosystem scale.

Our states are signatories to a Conservation Strategy, which describes commitments of state and federal wildlife and land management agencies to cooperatively manage grizzly bears and their habitat in the GYE DPS. We have also developed a tri-state Memorandum of Agreement (MOA) that commits our three agencies to collaboratively manage the population at levels and mortality rates that will keep the population well above revised recovery criteria.

Our comments are offered in the spirit of ensuring that revised demographic recovery criteria for the Yellowstone Ecosystem are technically accurate and properly reflect the distinction between demographic recovery and demographic monitoring criteria. For ease of pointing out specific wording, the page numbers referred in our comments refer to the PDF version of the proposed Recovery Plan Supplement (vs. the federal register notice).

We are able and willing to address or clarify any questions you have about these comments, and look forward to celebrating this conservation success with issuance of a final delisting rule.

Sincerely,

Handwritten signature of Virgil Moore.

Virgil Moore, Director
Idaho Dept of Fish and Game
P. O. Box 25
Boise, ID 83707

Handwritten signature of M. Jeff Hagener.

M. Jeff Hagener, Director
Montana Fish, Wildlife & Parks
P. O. Box 200701
Helena, MT 59620-0701

Handwritten signature of Scott Talbott.

Scott Talbott, Director
Wyoming Game and Fish Dept
5400 Bishop Boulevard
Cheyenne, WY 82006

The three state agencies agree that the Demographic Monitoring Area (DMA) is an appropriate geographic area for monitoring and mortality assessment, the model-averaged Chao2 method currently represents the best available science for monitoring and evaluation of population trends, and additional habitat protections are not necessary for recovery.

Recovery Criterion 1

The first recovery criterion establishes a minimum population size of at least 500 animals and at least 48 females with cubs in the DMA. The States agree that these numbers are not targets, but conservative minimums. The States also agree the biological intent of criterion one is to maintain a minimum population size of at least 500 animals, which exceeds the genetic recommendations of Miller and Waits (2003). The minimum population size of 500 includes a conservative buffer in addition to the recommendations of Miller and Waits (2003) for a minimum population size of at least 400 bears to adequately mitigate the potential effects of genetic drift and inbreeding depression in light of the relative isolation of the GYE population. The draft incorrectly states that 500 is a minimum required to maintain short-term genetic fitness, genetic health, or genetic integrity.

Specific recommended edits on this issue include:

- Page 2- *Remove reference of short-term genetic fitness from the footnote:*
 - This number is ~~required to maintain short-term genetic fitness in the next few decades.~~ It is not a population target, but a minimum.
- Page 6-*Modify:*The number 500 represents a minimum population size necessary that includes a conservative buffer to assure no long-term negative effects of loss of genetic diversity.

Recovery Criterion 3

The States agree with the stated biological intent of criterion three to establish data-based, sustainable mortality limits for each sex/age class for a recovered population. The States agree that appropriate limits allow for population fluctuation within a range of values above the minimum population size and provide additional assurances the recovery criteria will continue to be met or exceeded. The States agree that the 2002-2014 Chao2 modeled average for the population provides an appropriate population range for calculation of the limits.

However, the wording of the proposed revision to Criterion 3 creates confusion regarding the minimum population size described in Recovery Criterion 1; some readers may misinterpret Criterion 3 as requiring minimum population numbers of 600, 612, or 674, or requiring the states to keep the population within the range of 612-735. USFWS should revise the wording of Criterion 3 to state simply that it is to have annual mortality limits for independent females, independent males and dependent young as shown in Table 1. Criterion 3 should clarify that the references to population sizes do not revise Criterion 1 for minimum population size. These sustainable mortality rates allow for population fluctuation within a range of values (based on 95% confidence intervals) as opposed to a fixed population goal.

The draft supplement contains the reference to ending discretionary mortality if the annual population drops below 600. The states agreed to end discretionary mortality if the population drops below 600 in their tri-state MOA. This is an appropriate management response by the states, but the USFWS should not include this as a recovery criterion.

Specific recommended edits on this issue include:

- Page 3- *USFWS should clarify the purpose and science that informs the 90% confidence interval (612–735) related to Recovery Criterion 3.*

- Page 4 *Correct the title and the < signs in the second column of Table 1:*
 - Table 1. Mortality limits inside the DMA using the model-averaged Chao2 population estimate method. These mortality limits are on a sliding scale to ~~achieve~~ manage the population goal inside the DMA ~~of~~ around the mean model-averaged population size of 674 between 2002-2014 (mean lower 95% CI=600; mean upper 95% CI=747). For populations less than 600, there will be no discretionary mortality except as necessary for human safety.
 - <7.6% should be less than or equal to 7.6% ($\leq 7.6\%$) for females and young.

Mortalities Outside the DMA

Recently published information indicates the genetic variability and viability of the GYE DPS is strong, and lack of connectivity is not a threat to the existence of the GYE DPS (see pages 52-53 of the 2016 Draft Revision to the Conservation Strategy, citing Kamath et al. (2015), Luikart et al. (2010), and other literature). USFWS' analysis on pages 184 and 201 of the proposed delisting rule reflects the best available science and concludes genetic concerns are not a threat to the GYE DPS and that bear occupancy, or lack thereof, in peripheral areas is not biologically necessary to the GYE DPS. In addition, recovery criteria for the GYE DPS are conservative in recognition of the GYE DPS' relative isolation.

The proposed recovery supplement, however, includes references to bear occupancy outside of the DMA that are inconsistent with best available science and fail to recognize the assumptions underlying conservative recovery criteria. USFWS should delete these references as they are not properly related to recovery criteria for the GYE DPS, where connectivity and genetic exchange do not threaten the population.

Specific recommended edits on this issue include:

- Page 8 –Grizzly bear occupancy will not be actively discouraged outside the DMA ~~and grizzly bears will not be persecuted just because they are present there.~~
- Page 8- Delete the entire second paragraph.

Habitat Protection

The States agree that additional habitat protections are not necessary for recovery.